

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

TARA M. WILSON
a/k/a TARA M. YEARWOOD,

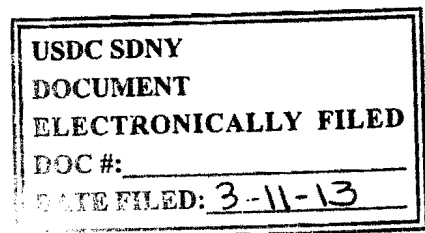
Plaintiff,

09 Civ. 2632 (ALC) (HBP)

- against -

ORDER ADOPTING REPORT
AND RECOMMENDATION

NEW YORK CITY POLICE DEPARTMENT,
CITY OF NEW YORK, JANICE GRIER,
AVA MITCHELL, JAMIE YOUNG, NELDRA
ZEIGLER WALETHEA BISHOP, PO THERESA
PRIMUS-NEELY, SGT. MARGARET ROSS,
DET. CARL MCLOUGHLIN, SGT. CRAIG
FOSTER-SCREEN, SGT. MARK SIMMONS,
DI HIGDON, DI DUFFY, PO SHAE JACKSON,
PO ATHENA BROOKE-SMITH, DETECTIVE
DEBBIE WILLIAMS, CAPT. SCOTT HENDERSON,
PO YAFFASCHA JACKSON, DET. MARILYN
PAGAN, INSPECTOR THURSLAND, DI LAVELLE,
LT. TERRENCE O'BRIEN, LT. CECIL WADE,
LT. MICHAEL GREENE, PO CALANDRA,
and PO KEECHA PATRICK-SANTOS,



Defendants.

-----X

ANDREW L. CARTER, JR., United States District Judge:

On March 23, 2009, pro se Plaintiff Tara M. Wilson filed a Complaint against Defendants New York City Police Department, City of New York, Janice Grier, Ava Mitchell, Jamie Young, Neldra Zeigler Walethea Bishop, PO Theresa Primus-Neely, SGT. Margaret Ross, DET. Carl McLoughlin, SGT. Craig Foster-Screen, SGT. Mark Simmons, DI Higdon, DI Duffy, PO Shae Jackson, PO Athena Brooke-Smith, DET. Debbie Williams, CAPT. Scott

Henderson, PO Yaffascha Jackson, DET. Marilyn Pagan, INSPT. Thursland, DI Lavelle, LT. Terrence O'Brien, LT. Cecil Wade, LT. Michael Greene, PO Calandra, and PO Keecha Patrick-Santos (collectively "Defendants"), alleging: (1) employment discrimination on the basis of race and gender, (2) retaliation for engaging in a protected activity, and (3) hostile work environment and/or constructive discharge in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., New York State Human Rights Law, New York Exec. Law §§ 290 et seq., and New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-101 et seq.

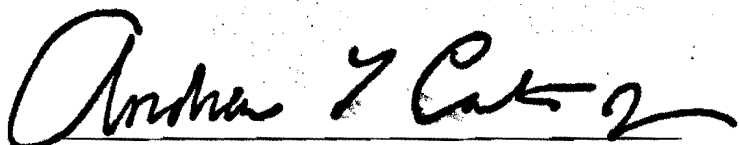
This matter was referred to Magistrate Judge Henry Pitman pursuant to a March 31, 2009 Order. Defendants filed a Motion for Summary Judgment on July 18, 2012, arguing Plaintiff's remaining claims are time-barred, Plaintiff cannot establish the 2007 transfer and her subsequent retirement were retaliatory or discriminatory, and Plaintiff was not subject to a hostile work environment or constructive discharge. Plaintiff failed to file any opposition to Defendants' Motion. Magistrate Judge Pitman issued an Order dated October 1, 2012 informing Plaintiff that failure to submit an opposition makes it substantially more likely the Motion will be granted. Plaintiff's deadline to file an opposition or request for an extension of time was also

extended to November 14, 2012. Plaintiff did not respond to Magistrate Judge Pitman's October 1, 2012 Order in any way.

After careful consideration, Magistrate Judge Pitman issued a Report and Recommendation ("R&R"), proposing the Motion for Summary Judgment be granted. Despite notification of the right to object to the R&R, no objections were filed. When no objection is made, the Court subjects the R&R to a clear error review. Arthur v. Goord, No. 06 Civ. 326 (DLC), 2008 WL 482866, at *3 (S.D.N.Y. Feb. 21, 2008) ("To accept those portions of the report to which no timely objection has been made, 'a district court need only satisfy itself that there is no clear error on the face of the record.'" (quoting Figueroa v. Riverbay Corp., No. 06 Civ. 5364 (PAC), 2006 WL 3804581, at *1 (S.D.N.Y. Dec. 22, 2006))). The Court's review finds no clear error, and accordingly, the Court **ADOPTS** Magistrate Judge Pitman's R&R in its entirety. The Motion for Summary Judgment is **GRANTED**. The Clerk of Court is respectfully directed to close this case and to enter judgment consistent with this Order.

SO ORDERED.

Dated: New York, New York
March 11, 2013

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", with a stylized flourish at the end.

Andrew L. Carter, Jr.
United States District Judge